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9 file Barclay.



PHILIP MORRIS

EUROPE MIDDLE EAST AFRICA

RESEARCH AND DEVELOPMENT

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A.H.

Barclay F.

Neuchatel January 9, 1981 HGA/jig

Meeting on February 6, 1981 - 9.30 a.m.

Place : Salle de Conférence Direction, FTR, Neuchatel

The objective of the meeting is to discuss the situation arising out of the possibility that BAT might launch a cigarette featuring the Barclay principle in European markets. This should be discussed and recommendations for action prepared for Mr. Murray.

Background

It is suspected that Barclay owes a large part of its success in the United States to the fact that the consumer believes to smoke a very low tar cigarette (99% tar free), in fact he gets almost a full flavour smoke.

According to our measurements in the Neuchatel laboratory, a human smoker obtains 5 to 10 times more smoke (smoke equals taste) than the smoking machine measures.

This has to be seen against the fact that in West Germany packets carry smoke deliveries according to DIN printed on the pack, and that in the United Kingdom cigarettes are classed according to tar delivery.

Questions to be answered

1. Could BAT be stopped from launching such a product either in the UK or in Germany :
 - a) Via action in the patent field
 - b) Via the unfair competition pathway
2. Could anyone stop PM from launching such a product :
 - a) Via action in the patent field
 - b) Via the unfair competition pathway

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Meeting on February 6, 1981

3. Would a tobacco company break the law by launching such a product, i.e through misleading declarations on packs or in advertisements.

Recommendations for action

The meeting should come up with recommendations in the sense of eliminating certain possibilities and suggesting others.

Agenda

1. Presentation of the technical features and certain marketing aspects by H. Gaisch, U. Nyffeler, N. Moeller and P. Stolt.
2. Discussion of the patent situation.
3. Discussion of the legal situations in terms of unfair competition (e.g. agreements within TAC and VDC).
4. Situation in terms of Trade Description Act, consumer protection legislation, other legal aspects.



H. Gaisch

Distribution

Mr. Bass	Mr. Hermans	Mr. Mandiratta
Dr. Hach	Dr. Häusermann	Mr. Stolt
Dr. Hetzer	Mr. Nyffeler	Mr. Moeller

For Information

Mr. Lee Pollak
Mr. Art Palmer

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